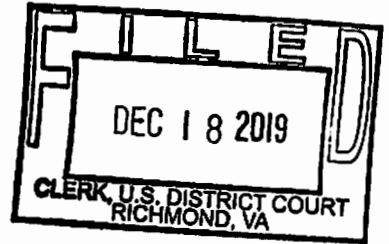


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division



CHURMA ECONOMICS  
& ANALYTICS, LLC,

Plaintiff,

v.

Civil Action No. 3:19cv813

RICHARD LOMBARDO,

Defendant.

ORDER

Having reviewed the PLAINTIFF'S MOTION FOR EXPEDITED DISCOVERY (ECF No. 13), the PLAINTIFF'S MEMORANDUM OF LAW IN SUPPORT OF MOTION FOR EXPEDITED DISCOVERY (ECF No. 14), and the DEFENDANT'S BRIEF IN OPPOSITION TO PLAINTIFF'S MOTION FOR EXPEDITED DISCOVERY (ECF No. 15), the Court finds that:

(1) the applicable analytical construct in which to analyze any request for expedited discovery is the so-called "reasonable, or good-cause standard." Attkisson v. Holder, 113 F.Supp.3d 156, 161-62 (D.D.C. 2015); Dimension Data N. Am., Inc. v. NetStar-1, Inc., 226 F.R.D. 528, 531 (E.D.N.C. 2005); and

(2) the applicable analytical construct for analyzing a motion for expedited discovery as outlined in Notaro v. Koch, 95 F.R.D. 403 (S.D.N.Y. 1982) is inconsistent with the changes to the Federal Rules of Civil Procedure respecting the district court's responsibilities and powers in respect of discovery; 5 J. Moore et al., Federal Practice & Procedure § 26.121 (3d ed. 2011); Merrill Lynch, Periece, Fenner & Smith v. O'Connor, 194 F.R.D. 618, 624 (N.D. Ill. 2000); and

(3) the use of the reasonableness and good cause standard is substantively the appropriate analytical tool on motions for expedited discovery because it more accurately frames the issues presented by motions of that sort whether in cases involving anticipated preliminary motions or otherwise; and

(4) There is good cause shown for plaintiff to pose discovery early and it is reasonable to do so; and the posed discovery is reasonable in subject and scope and the requested deposition is reasonable as well.

It is therefore ORDERED the PLAINTIFF'S MOTION FOR EXPEDITED DISCOVERY (ECF No. 13) is granted and that the defendant shall, by December 30, 2019, respond to the discovery requests attached to the PLAINTIFF'S MEMORANDUM OF LAW IN SUPPORT OF MOTION FOR EXPEDITED DISCOVERY (ECF No. 14) as Exhibit A, and counsel shall agree upon a schedule to take the defendant's deposition, which will be taken not later than January 15, 2020.

It is further ORDERED that the facts and legal contentions are adequately presented in the materials before the Court and oral argument would not aid the decisional process.

It is so ORDERED.

\_\_\_\_\_/s/ REP  
Robert E. Payne  
Senior United States District Judge

Richmond, Virginia  
Date: December 18, 2019